

ISLANDER EAST PIPELINE COMPANY, L.L.C.

454 East Main Street Branford, CT 06405

(203) 488-1800 phone • (800) 516-9997 toll-free • (203) 488-1490 fax



August 13, 2003

Ms. Cori Rose
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742

Re: Algonquin Gas / Islander East
File 200103091

Dear Ms. Rose:

As an employee of Islander East Pipeline, L.L.C. ("Islander East") my responsibilities include negotiating settlements with landowners and tenants that are impacted by construction projects.

During 2002, settlements were reached with all shellfish bed leaseholders that will be impacted by the Islander East project in the waters of Long Island Sound.

The companies and the bed numbers are as follows:

Branford River Lobster, LLC
Bed 555

Poppa C, LLC
Bed 559

Riverpoint Shellfish LLC
Beds 473 and 592

I have enclosed copies of "To Whom It May Concern" letters signed by officials of the three shellfish companies that verify the agreements providing for: pre-construction harvesting, construction term limits, and post construction replanting and restoration plans.

Please make this information a part of the record for the public hearing that was held on August 5, 2003 in Branford, Connecticut.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ed Harney".

Ed Harney

Cc: Mr. Scott Gudes and, Branden Blum, Esquire
U.S. Department of Commerce

BRANFORD RIVER LOBSTER
75 KIMBERLY DRIVE
GUILFORD, CONNECTICUT
203-483-8414

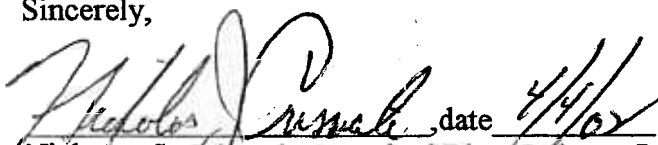
To Whom It May Concern:

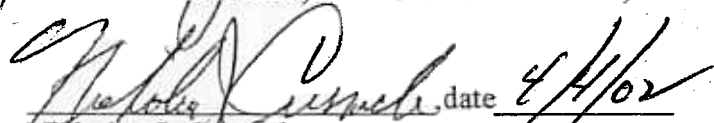
This letter will inform you that the Branford River Lobster, LLC ("Branford River") has been in negotiations with Islander East Pipeline Company, L.L.C. ("Islander East") over the past several months concerning the Islander East proposal to install an interstate natural gas pipeline under a shellfish bed, leased by Branford River, under the jurisdiction of the State of Connecticut identified as Shellfish Bed L-555.

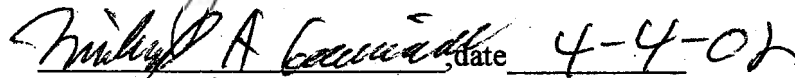
Islander East and Branford River have signed an Agreement on a pre construction harvest plan, construction term limits and a post construction replanting plan that Branford River believes will make Branford River whole and will not have long term impacts to Branford River's aquaculture activities on Shellfish Bed L-555.

Additionally, the Agreement does not prevent Branford River from speaking on this issue.

Sincerely,

 date 4/4/02
Nicholas S. Crismale, Branford River Lobster, L.L.C., Managing Agent

 date 4/4/02
Nicholas S. Crismale

 date 4-4-02
Michael Guarniere

Poppa C, LLC
26 Hunt Lane
East Haven, Connecticut 06512
203-627-6070

To Whom It May Concern:

This letter will inform you that the Poppa C, LLC ("Poppa C") has been in negotiations with Islander East Pipeline Company, L.L.C. ("Islander East") concerning the Islander East proposal to install an interstate natural gas pipeline in proximity to shellfish beds, leased by Poppa C, under the jurisdiction of the State of Connecticut identified as Shellfish Bed No. 559.

Islander East and Poppa C have signed an Agreement on a pre construction harvest plan, construction term limits and a post construction restoration plan that Poppa C believes will make Poppa C whole and will not have long term impacts to Poppa C's aquaculture activities on Shellfish Bed No. 559.

Additionally, the Agreement does not prevent Poppa C from speaking on this issue.

Sincerely,

Maria A. Consiglio, date 6/5/02
Maria Consiglio, Poppa C, LLC, Managing Agent

Peter G. Consiglio, date 6/5/02
Peter G. Consiglio

RIVERPOINT SHELLFISH, LLC
311 CHAFFINCH ROAD
GUILFORD, CONNECTICUT
203-458-9227

To Whom It May Concern:

This letter will inform you that the Riverpoint Shellfish LLC ("Riverpoint Shellfish") has been in negotiations with Islander East Pipeline Company, L.L.C. ("Islander East") concerning the Islander East proposal to install an interstate natural gas pipeline in proximity to shellfish beds, leased by Riverpoint Shellfish, under the jurisdiction of the State of Connecticut identified as Shellfish Beds Nos. 473 and 572.

Islander East and Riverpoint Shellfish have signed an Agreement on a pre construction harvest plan, construction term limits and a post construction restoration plan that Riverpoint Shellfish believes will make Riverpoint Shellfish whole and will not have long term impacts to Riverpoint Shellfish's aquaculture activities on Shellfish Beds Nos. 473 and 572.

Additionally, the Agreement does not prevent Riverpoint Shellfish from speaking on this issue.

Sincerely,

Phillip R. Bohannon, Riverpoint Shellfish, LLC, Managing Agent

date 4/13/02

Arthur Dolan
date 4/13/02



August 13, 2003

Office of the General Counsel for Ocean Services
National Oceanic Atmospheric Administration
U.S. Department of Commerce
1305 East-West Highway
Silver Spring, MD 20910

RE: Islander East Pipeline Project

Dear Mr. Secretary:

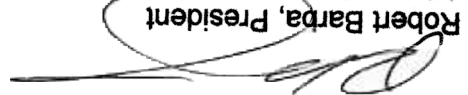
I am writing to comment on the Coastal Zone Consistency Remand Denial for the Islander East Pipeline Project. In my personal experience with working in clean up operations for bentonite in marine waters, I have found there is no permanent impact on water quality if the drilling contractor has an adequate clean up plan in place.

Page 5 of Connecticut Department of Environmental Protection's (CTDEP) denial explains the "CTDEP's experience with the horizontal directional drilling methodology for marine and coastal projects undertaken in Connecticut is that bentonite (drilling fluid) releases occur in at least 50 percent of the projects." The CTDEP further states that the "possibility for a bentonite release would be catastrophic" to the shellfish beds affected and would "create a significant adverse impact to water quality."

I was involved with a major bentonite clean up after a frac out in Bridgeport Harbor during multiple horizontal directional drill borings for cables in 2000. Atlantic Diving was contracted to work with the environmental contractor to contain and remove the bentonite from the mudline. Atlantic Diving used a containment boom (floating silt fence) to successfully contain the bentonite. Upon containment of the bentonite, the horizontal directional drills were allowed to continue. The bentonite was successfully cleaned up using a diver to monitor a hand held dredge pump and it was then pumped into frac tanks and filter separators. Side scan sonar was used to monitor the progress of the clean up. A final side scan sonar and an under water video was taken to ensure all bentonite had successfully been removed from the mudline. The CTDEP monitored the entire, approximately three month long, operation.

Again, it is my experience that unanticipated releases of bentonite can be cleaned up and there are no long term impacts to the water quality. I would be happy to discuss with you my experiences with bentonite releases in further detail. Feel free to contact via email at rbarda@snet.net or via telephone at 203-410-0640. Thank you.

Sincerely,


Robert Barba, President

Atlantic Diving and Welding Company, L.L.C.

cc: Gene Muhlherr, Islander East

The Thimble Islands Association, Inc.

3093 Whitney Avenue Hamden, CT 06518

Peter B. Brown, President

July 29, 2003

Office of General Counsel for Ocean Services
National Oceanic and Atmospheric Administration
U.S. Department of Commerce
1305 East-West Highway
Silver Spring, MD 20910

RE: Islander East

Dear General Counsel

Thank you for reviewing and considering comments from parties and citizens regarding the proposed Islander East Pipe Line, proposed to run under Long Island Sound from Branford CT to Long Island, NY. The Thimble Islands Association is a local property owners group made of some 100 families that own and seasonally occupy the Thimble Islands off the coast of Branford.

The Thimble Islands Association absolutely, unanimously and unequivocally objects to this project. In the interests of the citizens, the environment and public safety, our association is relying on the NOAA and the Department of Commerce to deny the application. As you are probably aware, the Thimble Islands are very unique and geologically rare. They comprise approximately 300 pink granite rocks and islands off the Branford, Connecticut coast. These rare granite out-croppings, not only provide summer residential sites, but are economically important recreational boating and fishing areas. Additionally, commercial and recreational shellfishing for many of us is a way of life. The islands provide a unique and important natural habitat and sanctuary for wildlife that includes, but is not limited to, clam and oyster beds, rookeries, tidal pools, glacial pot holes, sandy beaches, craggy ledges loaded with sea weeds, barnacles, mussels, marine life, plus there are salt marshes and mud flats. Undisturbed clean sea water is essential to this island life. Other special resources in the Thimbles include a Federal Wildlife "Stuart B McKinney" preserve on Outer Island and a Yale University, Peabody Museum, natural habitat laboratory on Horse Island.

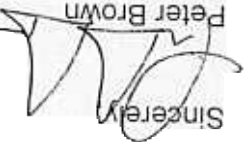
We object to the "Islander East Pipeline" on the following grounds:

- 1) There will be destructive and disturbing environmental impact during the construction of this line. You should not permit irreparable harm to come to our delicate and rare habitat, only to trade it for transmission of a nonrenewable, temporary fix, energy source. The gas will dry up. There will be permanent environmental damage to life in our waters that will never heal.
- 2) The continuous environmental impact and damage during the decades the pipe is laying on the sea bed. The lobster population in our little area has proven to be very delicate even without unnatural disturbances. There is no adequate provision or bonding for removal or abandonment of the pipe. Following years of corrosion the pipe will be left behind for our grandchildren to remove and a disturbed sea bed to try to restore.
- 3) Safety. We question the sensibility and safety of locating the pipe in a high traffic barge channel on the skirt of our islands. Heavy barges laden with crushed stone can break loose. They can sink. We have witnessed such events. There is potential for thousands of tons of iron and stone to fall crushing the pipe. Corrosion will be safety's hidden enemy. Add to this the rail line. The pipe, weakened by rust

plus a barge or rail accident will spell disaster. High pressure gas transmission lines can kill people. We live here.

- 4) There will be no local benefit. Not one Thimble Island will be supplied with gas from Islander East. No Branford homes will be warmed by this project. Even the benefits to Long Islanders are in question. The only real winners will be the shareholders of KeyStone Energy and Duke Power. Further, the an abuse of the power of eminent domain is being used for public harm rather than public good. At least, when government takes land for a highway the public is allowed access. This is a private project with a very limited public benefit, excepting just a few private business investors.
- 5) If need be, there are better alternatives to crossing the Sound then here at the Thimble Islands. At Millford, Connecticut there already exists a connecting point that could make much more feasible project. Disturbing new areas seems to show not regard for the Sound.

Please, in your power and your mandated authority to protect these special environmental habitats and to assist marine safety and transportation consider these issues and take the correct stand. We Thimble Islanders request that you deny the IslanderEast pipe line permit. Thank you.

Sincerely,

Peter Brown
President

CONNECTICUT LABORERS' DISTRICT COUNCIL



of the Laborers' International Union of North America

Richard Beckenbach, President
Charles LeConche, Business Manager/Secretary-Treasurer

CERTIFIED - RETURN RECEIPT - 7000 1530 0000 9435 0755

June 24, 2003

Mr. Scott Gudes
Deputy Under Secretary for Oceans and Atmosphere
U.S. Department of Commerce
Washington, D.C. 20230

Dear Mr. Gudes:

The members of Laborer's International Union of North America and the Connecticut Laborers District Council on behalf of Local Union 455 of New Haven, Connecticut, support the appeal submitted by Islander East Pipeline Company, L.L.C. to overturn the Connecticut Department of Environmental Protection's October 15, 2002, objection.

As working residents of the northeast region of the United States, we support the construction of the Islander East Pipeline Project. The project has the potential to generate substantial economic benefits to Connecticut and New York by providing increased access to natural gas, creating jobs, and enhancing the state and local tax base. It is expected that an additional \$34.5 million in earnings will directly accrue to Connecticut residents as a result of the onshore pipeline investment in Connecticut. The initial earnings generate an additional \$11.3 million in indirect earnings and lead to the creation of a total of 287 jobs during the construction period (*Merrimack Energy Study, May 14, 2002*).

Islander East will provide Long Island with another source of supply, allowing the energy market to enjoy the benefits of pipeline-to-pipeline competition for the first time. The pipeline will allow for increased competition between natural gas suppliers in the region and help stabilize energy (electric and gas) prices by increasing the number of pipelines serving Connecticut and New York, as well as increasing the number of supply basins to which the region will have access.

We feel that Islander East Pipeline Company has developed the current route to minimize environmental impacts and safety concerns. Given that Islander East has demonstrated a need for the project and that Islander East has committed to minimize environmental and safety concerns, we support Islander East's appeal and ask that the Department of Commerce reverse Connecticut's decision.

Sincerely,

Charles T. LeConche
Business Manager
Connecticut Laborers' District Council
CTL/hpr

cc: Armand Sabitoni, General Secretary-Treasurer, LIUNA
Dan Bianco, International Representative, LIUNA
CLDC:USDept.ofCommerce-Islander East Pipeline Project

475 Ledyard Street, Hartford, Connecticut 06114 • Telephone (860) 296-8697 • Fax (860) 296-5760

CONNECTICUT LABORERS' DISTRICT COUNCIL



of the Laborers' International Union of North America 

Richard Beckenbach, *President*
Charles LeConche, *Business Manager/Secretary-Treasurer*

CERTIFIED - RETURN RECEIPT - 7000 1530 0000 9435 0755

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Connecticut Laborers' District Council
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cc: Armand Sabitoni, General Secretary-Treasurer, LIUNA
Dan Bianco, International Representative, LIUNA
CLDC:USDept.ofCommerce.Islander East Pipeline Project

INCORPORATED VILLAGE of WESTHAMPTON BEACH

92 Sunset Avenue, Westhampton Beach, New York 11978-2393
(631) 288-1654 • Fax: (631) 288-4332 • clerk@WVBVillage.com

US EXECUTIVE SECRETARIAT

2003 MAR -4 AM 11: 03

Robert T. Strebel
Mayor

Ora Belle Barnett
Chester E. Morris
Mark Raynor
Harold W. Williams
Trustees

Kathleen McGinnis
Village Clerk/Treasurer

Richard T. Haefell
Village Attorney

February 19, 2003

**Honorable Donald L. Evans
Secretary of Commerce
Herbert C. Hoover Building
14th Street and Constitution Ave., NW
Washington, DC 20230**

Dear Mr. Secretary:

I am writing in support of an appeal submitted by Islander East, LLC to overturn the October 15, 2002 denial by the Connecticut Department of Environmental protection (DEP) regarding proposed construction of the Islander East pipeline.

In respect to environmental concerns, the pipeline's sponsors have taken extraordinary care to minimize environmental impact of the pipeline, thus fulfilling their obligations under the CZM.

Islander East will employ minimally invasive, horizontal direct drilling (HDD) technology that minimizes the need to dig a trench in portions of the pipeline route. This HDD technology, which will be used for the maximum feasible distance of approximately 4,000 feet out from the Connecticut shoreline, allows Islander East to dig a single hole and tunnel underground horizontally. It is a technique that has been embraced by such well regarded, environmental conservation organizations as the Long Island Pine Barrens Society and the Nature Conservancy for helping to significantly reduce the pipeline's impact to the Pine Barrens' core preservation area.

Project sponsors will place the pipeline beneath the ocean floor, causing minimum disturbance to near-shore shellfish beds or any other environmentally sensitive areas. Furthermore, offshore construction activity will take place during winter months, when shellfish are less active and less susceptible to disturbance.

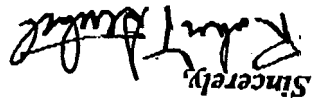
Regarding energy-related matters, the Islander East pipeline will help address national and regional energy needs in a number of positive ways.

Long Island's energy shortage is at a critical stage. The New York Independent System Operator, the not-for-profit corporation that administers the state's

wholesale energy market, has determined that the only solution to Long Island's long-term energy needs is to develop "on island" generation. The organization has concluded that new sources of natural gas are needed immediately to power electric plants proposed to meet this need and to reduce dependency on fossil fuels. Further, the Islander East pipeline will help solve pressing, energy-related issues at the regional and interstate level by insuring a more fully integrated pipeline system.

The Islander East pipeline thus clearly fulfills the twin goals of the Coastal Zone Management Program. It balances regional and national energy interests with the need to protect the environment.

I therefore respectfully request that the Commerce Department make a judgment in favor of this position by rejecting the DEP denial and ruling that the Islander East pipeline complies with Connecticut's CZM.

Sincerely,


Robert T. Streb, Mayor